



CRM-M-22382-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-22382-2025
Decided on : 08.10.2025

KULDEEP SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Kuldeep Singh	183	29.11.2024	21 and 29 of NDPS Act	STF Wing	SAS Nagar

2. Case of the prosecution is based on secret information received by the police team while they were patrolling in connection with checking for intoxicant substances and suspicious individuals in the area of Ferozepur. Information was received by the police regarding two individuals, namely Arjan and Gaurav, who were present together at



Sodhi Wala Adda on a black-coloured Splendor motorcycle, bearing registration No.PB05AS6362, and were allegedly involved in the business of selling heroin. Acting on this information, police registered the impugned FIR and proceeded to conduct a raid at the specified location.

3. As per the status report dated 10.05.2025, filed by learned State counsel which is already appended with the present petition, police team conducted the raid in the presence of an independent witness, Pargat Singh. During the search, a black polythene bag held by co-accused Arjan was found to contain a transparent bag, which upon inspection, was discovered to hold 2 kilograms of heroin.

It is on the basis of the disclosure statements made by Arjan and Gaurav that two additional individuals, namely Raman @ Ramni and Kuldeep Singh (petitioner herein), were implicated in the case. As per the disclosure statement of co-accused Gaurav, he and Arjan, who are cousins, had been engaged in the business of selling heroin for a considerable period. Arjan allegedly came into contact with the petitioner Kuldeep Singh during a prior jail term. Thereafter, petitioner is said to have communicated with Arjan *via* WhatsApp and was further connected to Raman @ Ramni. It is alleged that 2 kilograms of heroin recovered during the raid had been sourced from Raman @ Ramni and was to be supplied to the petitioner.

4. Learned counsel for the petitioner argues that apart from the disclosure statements of co-accused Arjan and Gaurav, there is no independent or corroborative evidence available on record to link the



petitioner to the offence. It is submitted that no recovery has been effected from the petitioner, and his arrest is solely based on the assumption by the investigating agency that contents of the disclosure statements are true, without any verification as to whether the contraband was indeed intended to be delivered to the petitioner.

It is further contended that although, the quantity recovered from Arjan and Gaurav is of commercial nature, petitioner cannot automatically be treated as an accused in relation to that recovery, especially in the absence of any contraband being recovered from him personally.

5. Referring to paragraph 6(D) of the status report, counsel for the petitioner submits that four other FIRs have been registered against him. However, in two of them, i.e. FIR No.105 dated 08.08.2019 and FIR No. 70 dated 10.06.2022, petitioner has already been acquitted. In FIR No.32 dated 23.01.2022, involving recovery of 20 grams of heroin, petitioner was convicted by the trial court on 10.07.2024, but was sentenced to imprisonment already undergone. In only one case, i.e. FIR No.323 dated 15.12.2020, petitioner is still facing trial. For reference, details of these cases as mentioned in the status report dated 10.05.2025, are reproduced here under:-

Sr. No.	FIR details	Police Station	Status
1.	FIR No.32 dated 23.01.2022 under section 21 of NDPS Act	Ferozepur	Convicted on 10.07.2024
2.	FIR No.323 dated 15.12.2020 under sections 21, 29 NDPS Act PS	Shahkot Jalandhar	Under trial
3.	FIR No.105 dated 08.08.2019 under section 307, 34 IPC 25 Arms Act	PS Makhu Ferozepur	Acquitted on 20.05.2023
4.	FIR No.70 dated 10.06.2022 under sections 21, 29 NDPS Act	Shahkot Jalandhar	Acquitted on 24.02.2025



Thus, counsel for the petitioner submits that present case is a result of false implication based on the petitioner's prior involvement in unrelated cases.

6. It is also pointed out that petitioner is in custody since 29.11.2024 and there is no likelihood of early conclusion of the trial. Moreover, co-accused Raman has already been granted anticipatory bail by this Court, vide order dated 01.04.2025 in CRM-M-7143-2025. In view of the above submissions, counsel prays for grant of regular bail to the petitioner in the present case.

7. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 07.10.2025 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 10 months and 06 days period inside jail.

8. Learned State counsel submits that *challan* in the present case was submitted on 16.05.2025 after the completion of investigation. However, charges are yet to be framed. It is further submitted that since petitioner is involved in other criminal cases, he does not deserve the concession of bail in the present case. Thus, learned State counsel prays for dismissal of the present petition.

9. This Court has heard the submissions advanced by counsel for the parties and has carefully perused the record available.



10. It is noticed that no recovery has been effected from the possession of the petitioner. The quantity of 2 kilograms of heroin was recovered from co-accused Gaurav and Arjan, who allegedly received the contraband from another co-accused, namely Raman @ Ramni. Trial in the present case is yet to commence, and there are total 32 prosecution witnesses. Hence, conclusion of the trial is likely to take considerable time. In such circumstances, where nothing has been recovered from the petitioner and the charges are yet to be proven, his continued incarceration cannot be justified for an indefinite period.

11. In view of the totality of circumstances, nature of the allegations against the petitioner, and the factors discussed here above, this Court finds it appropriate to grant the concession of bail to the petitioner in the present case.

12. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

13. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

14. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

15. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

16. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

08.10.2025

Lavisha

Whether Speaking/Reasoned: ✓YES/NO

Whether Reportable: ✓YES/NO